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Sage Advice

Ken Brown has a Conversation with
Professor Wendy Garewal



Professor Wendy Garewal teaches courses in legal writing and research at USD. She obtained her BA and MA from Stanford and her JD from the University of Southern California. Prior to coming to USD, she practiced law at Luce, Forward, Hamilton & Scripps in San Diego where she advised commercial and residential developers on a variety of complex real estate matters including common interest development issues and state and federal regulatory matters. Professor Garewal was kind enough to discuss the importance of legal writing and share some advice with students seeking to transfer what they've learned in law school to their practice as attorneys.

Q: How long have you been teaching and when did you come to USD?

A. I began teaching in 2009 when I came to USD to join the legal writing and research program. Since then, I've enjoyed teaching the first-year legal writing and research courses every year.

Q. Where did you go to law school and what motivated your decision to go into law?

A. I went to law school at USC. I became interested in law as a student at Stanford; I worked at the Stanford Center on Adolescence with a team researching the mental health needs of incarcerated adolescents in California. This work piqued my interest in the intersection of law and health.

Q. Just to be clear, when push comes to shove, you root for the Stanford Football team when they play USC, right?

A. Yes, I do!

Q. What did you do prior to coming to USD?

A. Before coming to USD, I practiced law right here in San Diego for a firm called Luce Forward. At that time, it was the oldest and largest San Diego-based law firm. Since then, the firm has merged and is now part of Dentons. I worked with a group of talented attorneys in the real estate practice group. I found it rewarding to work on projects that had tangible results, like new high-rises in the San Diego skyline.

Q. What are some common pitfalls you see students fall into in their first year legal writing course?

A. Legal writing is challenging, even for people who have been successful in other forms of writing

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Setting the Bar for Wellness: A Toolkit for Dealing with Stress

By Jessica Boujikian

Law school is one of the most challenging and stimulating experiences, and even if you have only been a law student for part of one semester, then you already know that the work is stressful. This is true even in sunny San Diego.

The fact that you have been admitted to law school demonstrates that you have already proven that you are well-equipped to deal with the stress of being a student. Most law students are able to manage the stress of school, and find ways to cope. But for some students, including myself, 1L year may be the first time in your life where you have encountered this level of stress and have had to deal with independently.

Some students are able to recognize that they need help, and for others this realization comes gradually. Yet, many law students who do realize they need help often do not seek out the resources available to them. One of the biggest challenges we face as a community is erasing the stigma surrounding mental health and communicating to students, who would otherwise keep to themselves out of fear, that it is ok to seek help.

There are many ways to manage your stress and it is important to figure out which way works best for you. This article is here to equip you with



the necessary skills and resources to assist with mental wellness. A law school toolkit of sorts, that will help you gear up for finals season.

Take a Deep Breath: Seriously, breathing is important. Stop what you are doing and take a deep breath. This helps to lower your heart rate. Deep breathing is a skill and the more you practice the more effective it will become. For more information on meditation and breath work, visit USD's page on mindfulness at <http://sites.sandiego.edu/youareusd/mindfulness/>.

Exercise: Did you know as a USD student you get free access to The McNamara Fitness Center located inside the Jenny Craig Pavilion and all other Campus Recreation

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Softball: Mid-Season Report

By Cody Wisniewski

Woah! We're halfway there! Well actually, we're more than half way through the Fall 2015 Softball Season, but I can never pass up a perfectly good opportunity to quote Bon Jovi. It's been a good season so far, and I only expect it to get even better from here. Playoffs are fast approaching, but before we can get there, we need to finish out the regular season.

There are still a few weeks left, so let's take a look at the status of the league just past the midpoint of the season. (Note: at the time of publishing Week 7 will have already passed, so there is a large possibility that everything I predict about the remainder of the season will already be wrong, as is the world of sports.)

We currently have two undefeated teams left in the league, two winless teams, and a lot of teams in-between. The Unstoppables currently sit at the top of the league, and true to their name, it doesn't seem that they will be stopped any time soon. They have a bye for Week 7 and then play Prestige Worldwide Week 8 and SOLES Week 9. Prestige Worldwide currently sits in third, and has a 4-1 record.

Their 1 loss came from the fourth place team, but they had a decisive win over the fifth place team, so only time will tell if they can hand the Unstoppables their first loss. Prestige Worldwide is a solid team, with a good defense and some good bats, but the Unstoppables rarely make defensive errors, and have some of the best bats in the league. It will be a tough game for both teams, and should be an entertaining one to watch. SOLES is currently 2-3, and all three losses have come from top 5 teams, so they will definitely be an underdog going into that game.

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Our mission is to provide news, information, analysis and commentary to the students, faculty, and staff of the University of San Diego, the University of San Diego School of Law, and the general legal community of San Diego. We believe that journalistic excellence is the soundest foundation for success. We pledge to seek and report the truth with honesty, accuracy, and fairness. These principles are cautiously guarded by each member of the Motions staff.

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NFL Agent Leigh Steinberg Visits USD SOL

By Brody Burns, Editor-in-Chief

In one of the seminal scenes of the movie *Jerry Maguire*, bombastic NFL wide receiver Rod Tidwell implores his agent, Jerry Maguire, played by Tom Cruise, to "Show me the money!" Tidwell is seeking that one big career changing contract and Maguire desperately needs to deliver for his client. The scene is so famous that the American Film Institute (AFI) ranked "show me the money" as their number 25 quote on their 100 Years...100 Movie Quotes list. The movie, which romanticized the notion of the NFL agent, was largely based upon the career of sports agent Leigh Steinberg.

Steinberg, one of the most well-known agents in the history of professional sports, has navigated his way through a 40-year career working in the professional sports industry and recently has been speaking about his life in promotion of a new book.

On October 27, Steinberg spoke at a USD School of Law event to a group of students during a lunch panel, hosted by the Sports and Entertainment Law Society (SELS) and the Business Law Society. Brandon Rebboah, President of SELS, reflected on the event,

"I hope that students enjoyed listening to Mr. Steinberg. His ability to build a career based on his passion for sports and his legal education is remarkable. I am very thankful that he was able to impart some of that wisdom on the USD Law Community," Rebboah said.

Lewis, taking part in a PSA campaign titled "Real Men Don't Hit Women." This campaign aimed to achieve awareness and change attitudes towards domestic violence and showcased the power of a professional athlete leading a cause.

Steinberg also spoke of the concussion epidemic in the NFL, and how he felt that he had a "fiduciary duty" to the safety of his clients.

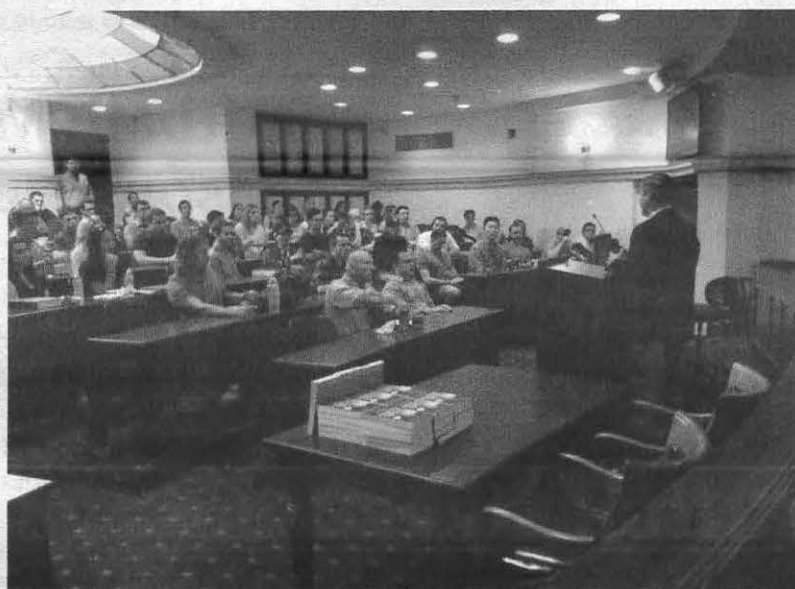
"You have to be aware of the ultimate impact of what your legal career is facilitating," Steinberg said.

The event offered a chance for students to listen and interact with the agent who has represented many NFL stars such as Troy Aikman, Steve Young, Warren Moon, Drew Bledsoe and Ben Roethlisberger. In his 40 year career, Steinberg boasts to have secured over \$3 billion in contracts for his more than 300 professional athlete clients. First-year law student Chandra Roam attended the event, and spoke about the impact of Steinberg taking care of his clients.

"I thought it was refreshing to hear the firsthand story of someone with the integrity to be willing to risk his individual success to put forward a cause that was for the good of many," Roam said.

Steinberg was on hand to promote his recent book, *The Agent: My 40-year Career Making Deals and Changing the Game*, and he offered to sign copies of his books for students after he finished speaking.

The *Agent* is a New York Times bestseller which chronicles "the rise, fall and redemption" of



The event was held in a packed Grace Courtroom during the lunchtime break of classes. Students listened to Steinberg speak about topics ranging from his college and law school life at the University of California, Berkeley, to pressing social issues involving professional athletes, to the current concussion epidemic in the NFL, to coming home from the set of *Any Given Sunday* after helping Cameron Diaz get into character.

One of the first things Steinberg told students was the values instilled by his parents. Steinberg was raised with two values,

"First, to treasure the relationships you have, especially your family. And, second, to make a difference in the world," Steinberg said.

For Steinberg, the opportunity to work with athletes allowed him to leverage both these values. The industry is heavily dependent upon relationships and professional athletes have a unique capacity to affect countless lives.

In reference to making a difference in the world, Steinberg spoke at great length about challenging his clients to leave a legacy and working with corporate sponsorships and athletes to endeavor charity programs.

Steinberg gave the specific example of one of his client's, heavyweight boxer Lennox

one of the most famous sports agents in the history of professional sports.

The book features a foreword written by NFL Hall of Famer Moon, whom Steinberg represented. In that foreword Moon writes that "Leigh emphasized empowering his clients in order that they not be manipulated nor taken advantage of, thereby transcending and supplanting the 'agent' stigma of the time."

Steinberg closed his discussion with advice to students concerning the emergence of new opportunities in the sports world. Steinberg discussed the wide variety of new opportunities available to students, and urged students to be creative and open to these limitless opportunities. SELS President Rebboah spoke about this impact. "What I particularly enjoyed was his ability to show the progression of the sports industry and the new opportunities that are being created for people with legal educations. I hope that students walked away feeling empowered that they can follow their passions and use their legal education to open new career opportunities."

Brody Burns is a 3L
interested in
Criminal Law



Setting the Bar Continued...

Facilities? When you are feeling nervous, angry or upset, exercise can relieve tension, relax you and increase your energy. If you do not have time to make it to the gym, taking a short walk around campus or your apartment complex, can offer immediate relief.

Sleep: Coffee can't fix everything! Stress can cause you to lose sleep and lack of sleep is also a key cause of stress. This vicious cycle causes the brain and body to get out of whack and only gets worse with time. For more information visit USD's Sleep Management page at <http://sites.sandiego.edu/youareusd/sleep/>.

Eat Well: The free candy from your student rep is not considered a meal! Stress levels and a proper diet are closely related. However, when we are stressed we forget to eat well. Try to avoid unhealthy snacks and replace them with fruits, vegetable and fish. Fish with high levels of omega-3 fatty acids have been shown to reduce stress.

Get Organized: It is easy to feel stressed when tasks, projects, people, and expectations overwhelm you. Start making a list of everything on your mind. The act of writing things down clears your mind to better visualize what is weighing heavily on you. Look at your schedule and set realistic expectations for yourself. Each day you should set goals for yourself that can realistically be completed.

Call a Friend: We all get by with a little help from our friends. If you are feeling overwhelmed, take a break to call a friend. Good relationships with friends and loved ones are important to any healthy lifestyle. A reassuring voice, even for a minute, can help you gain perspective. For information on how you can help as a friend look to <http://www.sandiego.edu/usdcc/documents/helping-a-friend.pdf>. Additionally, if you are concerned about a classmate who may be struggling, you are encouraged to talk with someone in the Office for Law Student Affairs (Warren Hall room 218) for assistance.

Laugh: Laughter is good for you! Take a break by reading for fun, watching your favorite show or doing something funny. It is so important to maintain your sense of humor when you are feeling stressed out.

Reward yourself: Have a treat yourself day. Always take the time to do something nice for yourself after accomplishing a goal, no matter how big or small that goal was.

The Counseling Center: This is a confidential resource that is open Monday – Friday from 8:30am-5pm, with extended hours until 6pm on Wednesday. The easiest way to secure a consultation is by making an appointment via the Wellness Portal at https://mywellness.sandiego.edu/login_directory.aspx. Students can also call the Counseling Center at (619) 260-4655 or come by Serra Hall Room 300 to arrange an appointment. More information about the Counseling Center can also be found line at <http://www.sandiego.edu/usdcc/>.

Support Group for Graduate Students: This group meets once a week on Wednesday from 1:00-2:30pm. For location information contact the USD Counseling Center at (619) 260-4655. Come share your experiences, success, and struggles with other people who care. The focus this semester is balancing demands and professional life with an emphasis on self-care.

Urgent Matters: A counselor on call is available to consult after hours at all times. The counselor on call can be reached by calling Public Safety at (619) 260-2222.
You stay well San Diego.

*Jessica Boujikian is a
2L interested in Land
Use Law*



Sage Advice Continued...

before coming to law school. A key challenge for any new legal writer is developing the discipline to evaluate his or her work critically. This critical evaluation requires careful time management to complete an interim draft in time to review and revise it. Revising or rewriting a draft before sending it or submitting it is a critical step to ensure that the final work product is clear, well reasoned, concise, and error free. This practice applies to all types of legal writing, from memos and briefs to emails and letters.

Q. If you could give a first year law student one piece of advice to be a successful legal writer, what would it be?

A. I give this advice to all of my students at the end of the first year: seek opportunities to develop your legal writing skills beyond the first year of law school. Students in my classes work intensely throughout the first year to develop those fundamental legal writing and research skills. The learning curve is steep, from that first orientation session in the fall, to that final oral argument in the spring. After the first year, students can continue on that upward trajectory by finding other classes, jobs, and activities where they continue developing those skills. Developing legal writing skills is a career-long endeavor.

Q. What are some of the differences you think students should be aware of between the academic setting and professional setting?

A. The academic setting is student focused; the professional setting is client focused. In law school, students have supportive resources and mechanisms for receiving feedback regularly, as they should. While there are helpful mentors and professional development in the professional setting as well, the primary focus necessarily shifts to the clients.

Q. What's the best thing students can do now to prepare for the professional legal world?

A. In addition to focusing on all coursework, of course, one thing students can do is seize as many opportunities to practice new skills in law school as possible. The opportunity to practice new skills and receive feedback here in law school will help students gain confidence as they transition to their first jobs. In addition, the activities, classes, and positions that offer these practice opportunities will help students develop time-management skills essential in a professional environment. Learning how to advance multiple competing priorities can help students successfully contribute in the professional setting.

*Ken Brown is a 3L
interested in the field of
Employment Law*



DSAC Update from the SBA President

By Keith Van Wagner, SBA President

This month, the Dean Student Advisory Committee (DSAC) had the pleasure of meeting with Dean Molly Tami, the new Assistant Dean for Career and Professional Development, and Professor Kiyana Kiel, the Director for Academic Success & Bar Programs. Questions were specifically formulated for both them, as well as Dean Meredith D'Angelo, Assistant Dean for Law Student Affairs. Dean Tami wants to create an expectation in Career and Professional Development that each student will be seen at least once a semester, to ensure there are no missed opportunities. Career and Professional Development cannot create jobs, but they can put students into better positions to acquire jobs.

It was brought up that Scott Morris will be departing the office in the near future, and to belay concerns about his expertise vanishing as well, Dean Tami informed the committee that not only will Mr. Morris's part time position become a full time position, but he will be replaced by an "employer outreach specialist" who will hopefully pick up his niche without too much downtime. The new individual should be hired and in place by mid-November.

Currently, students are not able to receive credit at private law firms. To clarify why, this is because there must be an "educational experience" tied to the work. While other schools do offer credit for similar positions, there are more paid opportunities at USD so the credit is not as necessary. Professor Kiel wants students to have a better understanding of the "One and Done" campaign, whose goal is to assist students in passing the bar the first time they take the exam. Not only is passing the first time a better option financially, but chances of success the second time around are lower, and employers are less likely to retain individuals who have failed the first time. Knowing what to expect

and how to prepare, as a first, second, or third year student, is important, and more information can be found at the Academic Success Resource Center (Warren Hall room 206).

Lastly, we addressed a mixture of student affairs-related topics with Dean D'Angelo. First, there are new requirements coming down from both the Federal government and USD. One is a mandatory sexual assault training which has been decreed by the federal government, and to encourage substantial compliance there is a \$250.00 fine for any students who fail to complete the training. Second, in order to maintain current health standards, USD is requiring all 1Ls and future law students to provide immunization records in case a quarantine is necessary. Failure to provide records will result in a registration hold.

Next, Dean D'Angelo shared a surprising parking update. While students are prohibited from parking in spots labeled "EV Only," (Electric Vehicle Only), students can park in spots labeled with just "EV." Every spot counts.

Also, if anyone has specific maintenance requests (such as rooms needing additional cleaning, or air fresheners) then please feel free to put that information into the suggestion drop box on the first floor near the moot court office.

As always, the SBA wants to present any ideas, concerns or questions any students may have at these DSAC meetings. If you have any further comments, questions, or concerns, please email me at: usdlawpres@gmail.com.

*Keith Van Wagner
is a 3L interested in
Criminal Law*



Call for Submissions...

Motions is always looking for new content. If you are an aspiring writer, poet, photographer, artist, or you just want a medium to express your creativity then we want you.

We are open to submissions on law related topics and non-law related topics. If you are interested in editing or assisting the publication of the newspaper, then please contact us at motions@sandiego.edu

Law Librarian Corner: Using Perma to Preserve Web Content

By Michele Knapp, Reference Librarian

More and more, legal writing contains citations to online materials. This is the result of materials moving from print formats to the web and the prevalence of born-digital documents. Whether you are writing a seminar paper, an article for publication in a journal or a brief for moot court or practice, you are likely to include citations to online sources. But how do you know that the document to which you are citing will be located at the same link (also known as a URL) days, months or years later? The answer is you do not know.

Websites change frequently and sometimes disappear altogether. There are no guarantees that a website you visited yesterday will include the same content or even exist tomorrow. Newspaper articles, government publications and other documents move from one URL to another frequently, as well as get removed from the web. If you have spent much time online, you have likely encountered the following message or a version of it:

This is a common occurrence, one which you do not want to arise when a professor or judge is reading the paper or brief you just submitted. Whether a reader is trying to verify a citation or learn more about the topic at hand, they should be able to get to any online material cited in a single click. The ease of accessing this information should remain the same whether they are reading your work one day or ten years after it was written.

A recent Harvard study revealed that half of the URLs within U.S. Supreme Court opinions no longer work. Upon an examination of URLs included in such journals as Harvard Law Review, the statistics were even more staggering – over 70% of the links did not work. Another study conducted by librarians at the John Marshall School of Law led to similar results. The New York Times publicized the results of these studies and helped start a conversation about the problem. Perhaps, as a result of the wide-spread publicity, the U.S. Supreme Court took action and created a page on its website where online materials included in its opinions are available by term. Although this is not an ideal fix, it is a start.

The Library Innovation Lab, located at Harvard Law School Library, came up with a better solution in Perma (found at <https://perma.cc/>). The service allows users to create permanent links to web content. With a Perma account, you can create an archive of online material so anyone can access the material at any time, even if the original website changes or goes away. Perma creates a permanent link to that material, which is accessible to anyone, even those without a Perma account. Libraries are the perfect partners in such an endeavor, because we are in the “forever” business.

The USD Legal Research Center is a partner in Perma, which means that faculty, staff and students have free access to a Perma account. If you fall into one of those categories, it is likely that your work involves writing. It is not necessary that your writing be academic in nature to benefit from Perma. You may be in charge of updating a manual used by members of your department. You may provide students with a list of helpful career-related resources. Or you may be the leader of a campus organization that disseminates a newsletter. In any of these instances, you could use Perma to make sure online content referenced in your work is available to readers at any time. Even the editors of The Bluebook, a group known for being mired in the past, included a rule on the archiving of Internet sources in the 20th edition – Rule 18.2.1(d).

If you are interested in learning more about Perma or creating an account, contact the LRC Reference Department at lrcrefer@san Diego.edu or (619) 260-4612. We are available to provide training in the use of Perma for individuals or groups. Michele Knapp is the LRC Reference & Interlibrary Loan Librarian, as well as the LRC liaison with the student journals and Legal Clinics. Wishing you could get your hands on an article or book that is not available at USD? Contact Michele, who will search the globe for the material you need. Michele practiced law as an Assistant Appellate Defender for the State of Illinois before changing careers. She loves to read, write and travel. She enjoys working in an academic environment, helping students and faculty tackle legal research questions.

perma.cc



The New York Times

In Supreme Court Opinions, Web Links to Nowhere

WASHINGTON — Supreme Court opinions have come down with a bad case of link rot. According to a new study, 40 percent of the hyperlinks in Supreme Court decisions no longer work.



Library
Innovation
Lab

We're building things in libraries.



Michele Knapp is
the LRC Reference
& Interlibrary
Loan Librarian

By Joe Stewart

Getting to Maybe

A clever title, I know. And for all we learn in law school, the most important lesson is acting as though all great ideas are yours and yours alone, so I'll let the title lie. The notion, though, is an important one. We sacrifice a great amount of sleep and self-confidence wrapping our heads around the methodology of “getting to maybe.” All the while, many of us grow reassured that we're on our way to our dream careers in law. Who, though, can blame us for seeking reassurance? It was our generation that helped China's economy forge ahead by way of exponentially increased demand for participation trophies. So we wield our mighty pens with feigned conviction through the dark, perilous ambiguity of American jurisprudence—our only reprieve being the temples of hope we build in our sacred psychic spaces—while humming the ancient mantra of matriculated juris doctor candidates past: “She'll be comin' round the mountain when she comes.”

Even though I'm sure you have enough to worry about on top of your immovable, confused frustration over undergrads breathing your air and that closely-monitored ulcer situation, I couldn't avoid the pleasure of asking my baby Maybe to come and dance a while. She loves to dance and nobody puts Maybe in the corner. Maybe nothing's coming around the mountain. Maybe you were busy with coffee-flavored kisses when all the monkeys boarded the last train to Clarksville, and that choo-choo has chugged far out of sight. Maybe now it's just the dirt beneath your feet, the sky above you, and the rusted rails of an outdated mode of travel drawing your sight clear to the empty, hopeless horizon. Maybe in that moment a thought occurs to you that only poor people and Europeans ride trains. I, for one, admonish against such a thought, and under normal circumstances would recommend a proper flogging. However, maybe sometimes the ends justify the means.

The real issue with setting your sights on a single destination is the improbability of reaching it. The New York Times ran a piece in August of last year shedding light on the bleak market outlook for graduating law students. According to the article, only sixty percent of 2014 graduates had found full-time attorney work nearly one year after graduating, and a quick search of “the lawyer bubble” will show you the market's not looking to change. In July of this year, Bloomberg Business published an article exploring a new push into the legal industry that may cut job availability even further. Licensed legal technicians—called “LLTs”—are tested and certified legal professionals that fall between lawyers and paralegals, and offer assistance with civil, domestic, and criminal matters that traditionally—and possibly unnecessarily—have been areas where professional assistance could only be legally provided by an attorney. Washington has approved such practice, and New York and California are currently considering approval.

This isn't to suggest that you shouldn't chase your dream; even Pinocchio got to be a real boy. But at a university that offers innumerable professional development and career preparation resources, it couldn't hurt to know your options—and position yourself to pursue them—if you happen to miss your train. In my case, I know I won't practice law after graduation. I've built a pretty sweet gig for myself and I enjoy afternoons at the beach far more than 60-hour weeks. But I'm still positioning myself to take and pass the bar after graduation. Why? Because in a world full of planes, trains, and automobiles, I don't know that it makes a lot of sense to drop \$150,000 in hopes of finding a golden ticket out of Grand Central. Life has proven itself capable of twisted irony and gruesome fate—bad dreams come true, too. I figure, maybe it wouldn't hurt to have a ride to the airport standing by. Sure beats sticking out my thumb.

Joe Stewart is a 1L
interested in studying
and researching law



Softball: Mid-Season Report Continued...

CCAs of right now it looks like the Unestoppables could walk into the post-season undefeated, and have a chance to defend their championship from the Spring 2015 season. It would also be the first time in recent memory that a team went undefeated, which could put them in the elite company of Ronda Rousey and the 1972 Dolphins (bet that's the first time you've heard that comparison).


The other undefeated team, and a potential post-season threat, is Chicks Dig the Law Ball, who are currently 5-0-1. Chicks Dig the Law Ball, however, has yet to play a team in the top 7, and their only tie came from the current 8th place team. While Chicks Dig the Law Ball has the record for the playoffs, they have not faced the challenge that they could see in the playoffs. In Week 7 Chicks Dig the Law Ball will have played Impeaches & Cream, the current 7th place team, which is the highest seed that Chicks Dig the Law Ball will face all season. By the time you are reading this article that game will have already happened. Impeaches & Cream is currently 2-2-1, with both losses coming to top 4 teams, and the tie coming from the current 8th place team. If Impeaches & Cream takes the win in Week 7 it could shoot them up the rankings and call into question if Chicks Dig the Law Ball's record is due to pure talent, or if there is a strength of schedule factor as well (à la UCLA Football, sorry UCLA fans, you know it's true). Only time will tell if Chicks Dig the Law Ball can remain undefeated and can seize the championship this semester. This season could come down to the 1972 Dolphins (the Unestoppables) vs. the 2015-2016 UCLA Bruins (Chicks Dig the Law Ball), which is possibly the worst metaphor in the history of Grad/Law Softball, but could make for an interesting game none the less.

Our two winless teams, Cases Loaded and Law Abiding Hitizens, have faced a tough road this season, and have played a lot of tough teams. Luckily they have a few more weeks of the regular season to get their first win, so we will keep an eye out for that. There are still a few weeks left in the season, so there can still be a lot of movement in the standings and there is always the chance for a big upset. One thing is for certain, the playoffs are shaping up to be very exciting this year.

Softball Standings (as of 11/8/15)

Team	Record
Unestoppables	7-0
Chicks Dig the Law Ball	6-0-1
Prestige Worldwide	5-2
Team Van Wagner	5-2
Batter Call Saul	4-3
Show Me Your Torts	4-3
Old 'n Slow	4-3
Bal1L's Out	3-2-2
SOLES	3-4
Impeaches & Cream	2-4-1
Diminished Faculties	2-5
Tortstops	1-6
Law Abiding Hitizens	0-7
Cases Loaded	0-7

*Cody Wisniewski
is a 3L interested
in Corporate
Transactional Law*



The Final Countdown: Decision 2016

By Brody Burns, Editor-in-Chief

Don't blink. Canada just officially did it in 78 days. This past year, the United Kingdom had theirs wrapped up, from start to finish, in an impressive 37 days. The law in Australia, mandates that their time period must be at least 33 days but no more than 58 days. Silly first-world democracies! 78 days, yeah right?! More like 78 debates. 58 days doesn't even put us through our first trimester of the presidential season. And that begs the question, does that make it too early to determine gender via Ultrasound but too late to abort?

Our first candidate formally declared back when Kris Humphries was Kris Kardashian. That candidate was Jack Fellure, formerly of the Prohibition Party, who declared his 2016 Republican candidacy on November 7, 2012. One day removed from the 2012 General Election featuring Obama v. Romney. Making Fellure's 2016 candidacy nearly as long as Prohibition lasted in the United States.

Our first real candidates, sorry Fellure, declared this past spring. Ted Cruz declared in late March, Hillary Clinton in early April, and Marco Rubio later that month. That means, we are just past the six month mark of a legitimate 18-month campaign for the Presidency. And you thought baseball season was never ending. (On a side note to Major League Baseball, the term "playing for October" should be banned from all telecasts as your regular season now extends into October. This means each and every team is actively playing in October – except for the Colorado Rockies who threw in the towel way back in May.)

At the one-year away mark, the Presidential race is nothing if not entertaining. Young liberals are flocking to Bernie Sanders as if he were on the Coachella lineup. Martin O'Malley has secured the "hot dad" vote, which Jon Hamm will tell you, is career changing. CNBC recently gave into Donald Trump's and Ben Carson's debate demands, which won't inflate their oversized egos. Mike Huckabee continues to hang around the race, always ready to offer the most insensitive and unintelligible comments like your drunken uncle at a Thanksgiving party. And the establishment likes the establishment candidates, which no surprise, are a Bush and a Clinton.

As we enter the one year mark away from the 2016 General Election, the following are my predictions of who makes the ticket for each party.

Democrat Nomination for President: Hillary Clinton. There is no stopping Hillary. People forget that in 2008, Hillary fought well into June against Obama for the Democrat nomination. She actually received more of the popular vote than Obama did in the lead-up to the 2008 nomination. Luckily, we have this ridiculous primary system, where candidates actively and aggressively campaign in states with populations less than San Diego County, while other larger states, such as California, receive little to no attention outside of fundraising dinners. But I digress. Hillary's campaign is well-coordinated and well-funded. She is a superb debater, her message resonates and she honestly lacks a true rival in the party. Despite Bernie's surging popularity, Hillary still polls more than 20 percentage points above Sanders. The nomination is hers to lose. And she won't do that again.

Democrat Vice-President Nomination: Julian Castro Castro is a budding star in the party. He is the current Secretary of Housing and Urban Development in the Obama Cabinet, the former mayor of San Antonio and a former keynote speaker at the Democratic National Convention in 2012. Castro got his bachelor's degree at Stanford and his JD from Harvard Law School. He will beat out other establishment choices and any of the other individuals running for the nomination. He's gonna be a big deal in national politics.


Republican Nomination for President: Jeb Bush: Once the smoke clears from the rest of the Republican carnival, Jeb will emerge. Bush is a sensible, if not dull, alternative in the eye of the hysteria hurricane that is the battle for the nomination. He has a large national organization and the backing of his name. He can roll out two former President's to stump for him and his name does still carry some prestige. He has an impressive list of donors. And he's the establishment candidate – which usually equals the nomination.

The larger narrative of the Republican primary has been the desire for an outsider candidate. Currently the top two polling candidates, Donald Trump and Ben Carson, are both outsiders who have captured this sentiment. I think many of the candidates in the race provide nothing but noise and seek to do nothing more than stoke the flames of discontent. There is substance to this fervor. Congress is regularly breaking their own records for lowest approval ratings. People are tired of the same Washington machine. However, Washington doesn't change overnight.

Republican Vice-President Nomination: Marco Rubio: With the sentiment boiling, the Vice-President nomination will go to someone deemed to be enough of a Washington outsider. Rubio can play enough of a Tea Party darling to soothe those in the party who don't like Bush. I think the party will seriously consider Ted Cruz as well, but ultimately Cruz is too polarizing, and Rubio can make up for some of Bush's shortcomings.

I may be wrong in the end. Maybe it will be Bernie Sanders versus Donald Trump. Or better yet, Jack Fellure versus Jimmy McMillan of the Rent is Too Damn High Party. That would make for a captivating race. I just wouldn't bet on Washington changing from the establishment in 2016, or ever.

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Fantasy Football - Midyear Report

By Katrina Wraight,

We are halfway into the 2015 NFL season! We are starting to see teams emerge from the pack, and fantasy teams are shaping up. Going into week 8, there were 5 teams with an undefeated 6-0 record for the first time in NFL history. The Broncos, Packers, Patriots, Bengals, and Panthers all remained undefeated. Several NFL records have already been broken including:

- Drew Brees, the New Orleans Saints quarterback (QB), became the youngest QB to throw 400 touchdowns in NFL history, in just 205 games.
- Keenan Allen, the San Diego Chargers star Wide Receiver (WR), set the NFL record for the most receptions through seven games.
- And for the first time in NFL history, the NFL streamed the Bills and Jaguars game live on Yahoo from Webley Stadium in London, England. The NFL encouraged viewers to "Watch With the World," as anyone with an internet connection was able to stream the game.

The Good: Nothing makes a fantasy team manager happier than when a player you had little hope for becomes your MVP. My picks for the three biggest surprises of the season thus far are: (1) Andy Dalton, (2) Devonta Freeman, and (2) Larry Fitzgerald.

At the end of the 2014 season, Cincinnati Bengals QB Andy Dalton was ranked 16th among starting QBs in passing yards. As of week 7, Andy Dalton was ranked 2nd behind only San Diego QB Phillip Rivers. It is important to note that Dalton has achieved this success while playing against some of the toughest defenses in the league, including Seattle's "Legion of Boom."

In his first year as a starting RB for the Atlanta Falcons, Devonta Freeman has quickly earned the title of an elite back. Freeman has scored the most touchdowns (9), and has the second most rushing yards of any RB in the NFL. Only the Bears veteran Matt Forte has more rushing yards this season. Freeman became the first player in the recent NFL history to score 3 touchdowns in each of his first 2 starts. Freeman is now averaging 120 yards and more than two touchdowns per game. Anyone who has faced Freeman in their fantasy league this season knows how dangerous he can be.

The Bad: Although 7 weeks does not make a season, several players have failed to meet expectations of greatness, and have wrecked many a fantasy matchup. My three picks for the biggest disappointments of the season are: (1) Peyton Manning, (2) Eddie Lacy, and (3) Jimmy Graham.

During Peyton's second year with the Broncos, he set the single season NFL record for passing touchdowns with 55 TDs. As of week 7 this season, Peyton has 7 touchdowns, the same amount as Tampa Bay rookie Jameis Winston, and is tied with 3 other QBs in 22nd place for passing touchdowns. Peyton has the 2nd lowest quarterback rating (QBR) in the NFL this season, and only the Texan's Ryan Mallet has a worse QBR (he has since been cut).

Entering the 2015 season, there were incredibly high hopes for third-year Green Bay Packers running back Eddie Lacy, especially considering he is supported by the highest-rated passer in NFL history, Aaron Rodgers. However, Lacy is averaging just 3.88 yards per carry (ypc), which is less than his back up, James Starks, who is averaging 4.54 ypc. Head coach Mike McCarthy said he will play the "hot hand" in the coming weeks, whether it be Lacy or Starks.

Going into the 2015 season, Jimmy Graham was ranked the number 2 tight end (TE) in the NFL. Many believed, and many in NFC West feared, that partnered with the Seattle offense, Jimmy Graham would excel to new heights. However, Jimmy Graham is currently ranked 27th in receptions and appears to be struggling to form the necessary chemistry with Russel Wilson that he once had with Drew Brees. However, in recent weeks, there has been small indications that Jimmy may just need more time to settle in with Seattle's offensive style.

The Available: Considering we are half way into the NFL season, the potential players available on the waiver wire can be limited, and varies by league. These potential pickups are based on performance up to week 7, and the Yahoo fantasy data for player percentage owned.

Alfred Blue RB (15% owned) or Chris Polk RB (2%) Bye week 9. Considering the season ending injury (torn Achilles) to Arian Foster, both Alfred Blue and Chris Polk are worth consideration in all leagues. Blue is likely to be Houston's main RB, however, the team may splits duties between the two, which does not bode well for fantasy owners. Alfred Blue will be listed as the starter on the Texans depth chart, but Head Coach Bill O'Brien has said positive things about Chris Polk's abilities in the past.

Danny Amendola WR (12% owned). During week 6 and 7, Amendola had his two best games of the season, one of which was against the Jets defense who had only allowed 186.6 passing yards per game, which was the 2nd lowest yards allowed by any defence in the league. In a Week 7 report, Amendola was said to have "the surest hands on the field" but he may see less touches with the return of Brandon LaFell.

Ryan Fitzpatrick QB (28% Owned) . It pains me to recommend Fitzy to anyone, but if you are in need of a plug-and-play option due to a bye week, Fitzpatrick is capable of providing an interception free game and has thrown 2 touchdowns in all but one game though week 7. Also, Fitzpatrick has two reliable receivers in Eric Decker and Brandon Marshall.

Eric Ebron TE (22% Owned) Bye week 9. Upon returning from a two-game absence, Ebron went for 89 yards and a touchdown in week 7 and has now managed to rack up 3 touchdowns in 5 games. Ebron is worth consideration if you are in need of a filler during a bye week. However, as a Megatron owner, I caution you that his performance is dependent on Matthew Stafford's performance, which has been hit or miss this season.

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Environmental Law



Swaggy T's Basketball Preview

by Tej Singh

West:

1. Golden State Warriors: The Warriors are the defending champs and they should lock up the top seed again this season.
2. LA Clippers: The Clippers are arguably the deepest team in the West and they should finish near the top.
3. Oklahoma City Thunder: Kevin Durant and Russel Westbrook are amazing, but whether they can stay healthy remains a question.
4. San Antonio Spurs: The addition of LaMarcus Aldridge is huge, but their backcourt needs help.
5. Houston Rockets: Dwight Howard can't stay healthy, the Rockets lost some depth on the bench, but they should still finish in the top six.
6. Memphis Grizzlies: The Grizzlies added some good pieces and will probably make the playoffs again.
7. Los Angeles Lakers: I can't bet against Kobe Bryant, and Julius Randle looks like a beast. If Kobe stays healthy, they will make the playoffs. I guarantee it.
8. New Orleans Pelicans: Anthony Davis is an MVP candidate, he can carry his team to the postseason, but getting past the first round he can't do all by himself.

Notes: Portland Trailblazers (lack of depth), Dallas Mavericks (injury concerns), Utah Jazz (still too young), and the Sacramento Kings (too immature) were left off the top 8. The West is always crazy and unpredictable. Outside of the top five teams, the last three seed should be really competitive.

East:

1. Cleveland Cavaliers: LeBron James + Easy East = top seed.
2. Atlanta Hawks: The Hawks lost depth, but they play good team basketball.
3. Toronto Raptors: Kyle Lowry looks fresh and should have a great year leading this team to a top three seed.
4. Washington Wizards: John Wall and Bradley Beal seem to be focused on getting better and winning.
5. Chicago Bulls: Derrick Rose barely plays anymore, the front court is getting older, but just having Jimmy Butler is enough to make the playoffs.
6. Milwaukee Bucks: The Bucks made some noise in the playoffs last year and their roster is full of the longest, and some of the most athletic players, at each position, they'll be fun to watch.
7. Charlotte Hornets: Nicolas Batum is a great addition to the team and should help them make the playoffs this year – which also shows how bad the East Conference really is.
8. New York Knicks: That's right! They added some good players and Carmelo Anthony should have a bounce back year to beat out the Magic, the Celtics, and other younger teams.

Playoffs: Western Finals: Golden State over Oklahoma City
Eastern Finals: Cleveland over Atlanta
NBA Finals: Warriors win over Cavaliers again this year

Interesting Storylines Heading into the Season: My favorite story, as a loyal Los Angeles Lakers fan, is whether this is going to be Kobe Bryant's last year. Or will he prove that he can beat father time for yet another year? I love Kobe, and never bet against him, but the last few years have been difficult to watch. The Lakers have decent depth and are fully capable of winning games and making a push for the playoffs – if they play defense, and if Kobe stays healthy. Check out that Larry Nance dunk on Festus Ezeli in the exhibition game played here in San Diego. Oh my God! I'm in the background during the highlights of that dunk; I'm basically a celebrity now! Another interesting storyline heading into the season, is the return the Oklahoma City Thunder's full starting lineup. This team has the best starting lineup in the league. Durant and Westbrook are both top-five players in the league. If they can manage to stay healthy, the sky is the limit for the Thunder. Durant was averaging nearly 30 points per game, while Westbrook was getting triple doubles this preseason. Watch out for the Thunder. While the Golden State Warriors are the defending champions, and are still my favorites to win the NBA title, I question whether they can stay humble and continue to work hard without getting complacent. Coach Steve Kerr is great a managing the team, but he is not on the sidelines for the start of the season.

Continued on Page 8...

Swaggy T's BBall Preview Continued...

...which could be an issue. They are still my favorites to win, but they'll be tested. Another interesting story in the Western Conference is the Sacramento Kings. Rajon Rondo, Demarcus Cousins, and Coach George Karl could all star in their own sitcom. The team has talent, but I predict the Kings lead the league in technical fouls. Watch out for implosions. The most interesting storyline, is whether LeBron can finally win a championship in Cleveland. While ESPN thinks the Cavaliers will win, they love brown-nosing LeBron. In order to win, the Cavaliers must stay healthy. LeBron is hobbling into the preseason with back issues, Kevin Love is coming off of a shoulder injury, and Kyrie Irving still does not have a time table for return. Injuries may doom the Cavaliers.

For Fantasy Basketball followers, and I realize people may use this information against me, here are my fantasy

basketball sleepers and draft night waiver wire pickups: Nate Robinson, Mo Williams, Marco Belinelli,

T.J. Warren, Anthony Morrow, Tony Parker, Otto Porter, Patrick Patterson, Gerald Green

I am excited for this season and can't wait for opening night!

Thanks for reading and have fun watching the NBA this season.

Tej Singh is a 3L
interested in IP
Litigation



Student Organization of the Issue: Transactional Law Team (TLT)

Name of Organization: Transactional Law Team

Mission: The Transactional Law Team prepares students to compete in the National Transactional LawMeet.

We provide a forum for students to hone their corporate and transactional law skills, to explore the M&A process, and to further develop their negotiation tactics. Through preparation for and participation in transactional law competitions, members of TLT will obtain an inside look into a practical corporate transaction deal and will have the ability to utilize those skills in future practice as corporate attorneys.

What is Transactional Law: Like many areas of law, Transactional Law is diverse and varied. It features a number of areas outside litigation, including mergers and acquisitions, securities, finance, real estate, tax, estate planning and intellectual property, just to name a few. To put it simply, transactional attorneys are concerned with business transactions and typically work with clients in the business world, overseeing business transactions. Transactional attorneys do not handle lawsuits, but instead aim to help their clients avoid litigation through preparation of complete contracts and by providing advice on how to follow the law while meeting their client's needs.

Why did you create this organization: When I first started law school, I knew I did not want to become a trial attorney.

Instead of learning how to assist clients that are being sued or that want to sue somebody else, I wanted to learn how to add

value to my future clients by facilitating "the deal" in a business setting. Although there are many programs geared towards litigation and gaining experience in the courtroom, there seemed to be a lack of resources for students who had transactional oriented interests to gain practical experience. With that in mind, Andrew Walters, Lindsay Craft and I decided to establish the Transactional Law Team to provide that resource for future students with the same type interests. With Dean Ferruolo's support, we officially established the Transactional Law Team this semester, Fall 2015, and are looking forward its growth in the future.

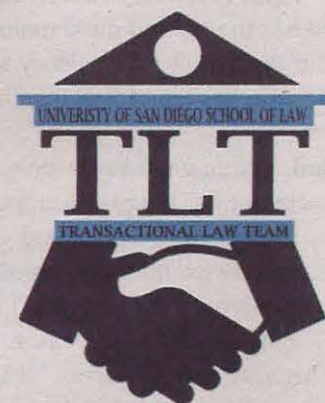
Website/Facebook: <https://www.facebook.com/groups/TransactionalLawTeam>

Key Officers: Ross Bautista: President, Andrew Walters: Vice President, Lindsay Craft: Treasurer, Kaitlyn Moore: SBA Representative

Contact: usdtlt@gmail.com

Goals for 2015/16: The Transactional Law Team's goals are rather simple. We hope to provide an outlet for our colleagues to learn more about the practical aspects of being a transaction attorney. We will host events, like our first "Lunch and Learn" on November 4th at noon, that will include the top transaction attorneys in San Diego who will provide their real life experiences and educate us on key topics. The competition team will also travel to Colorado in February to compete in regionals with high hopes of being selected for the National Transaction Competition in New York.

Why Should Students Join: If you have any interest in the areas of business, corporate, or other transactional-oriented work, this is a perfect organization to follow. We will have various events throughout the year to provide exposure to transactional law. For practical experience like negotiating and drafting contracts, be on the lookout for further information on how to try out for the 2016-17 competition team.



Top 10: The Best Lawyers From Film and TV (Part 1)

By Keisha Mello-Hall

Be honest with yourself, a small part of the reason why you're in law school is because you watched a legal movie while you were growing up with a totally wicked lawyer. You saw that lawyer completely own the courtroom and a voice inside your head said, "That could be me!" Sure, if you watched those movies now, you would see how completely inaccurate their depictions of what happens in the courtroom are. However, at one point in time, they probably inspired you to take the leap of faith and go to law school. With that in mind, here's a list of the fictitious lawyers that inspired me. If you've made it this far in life without watching them, I both applaud and abhor you. WARNING: Spoilers ahead.

HONORABLE MENTIONS

Billy Flynn (Richard Gere) – Chicago: Billy Flynn clearly has a broken Atticus Finch moral compass. He's actually a terrible lawyer, only helping the clients that get his name and photo on the front page. However, he does it while singing and tap-dancing, so he gets an honorable mention.

Elle Woods – Legally Blonde: Just an honorable mention suggested by Dillon Jones. However, to be fair, who hasn't quoted Legally Blonde at least once since going to law school? What, like it's hard?

Harvey Specter – Suits: I have never watched this show, which apparently is sacrilegious. I'm sorry, but aside from Mr. Robot, I'm just not a big fan of what the USA network produces. However, since the majority of law students are fans, I included it.

10. Charlie Kelly – It's Always Sunny in Philadelphia: Charlie Kelly is not a real attorney, but he delivers his nonsensical legal jargon with something crucial to every trial attorney – confidence. His naïve self-assurance allows him to represent the gang against The Lawyer on multiple occasions. Despite his nonexistent

legal education, Charlie Kelly never backs down from a challenge. When he is besmirched, he demands satisfaction. He knows "a lot about the law and various other lawyerings," so don't even think about going toe-to-toe with Charlie on bird law.

9. Hank Palmer (Robert Downey Jr.) and Joseph Palmer (Robert Duvall) – The Judge: This movie did not do too well with the critics, which is completely understandable given its somewhat cliché and overreaching storyline (seriously, there are like twenty subplots). Like every other character he plays (e.g., Ironman, Sherlock Holmes, etc.), Downey's Hank Palmer is a witty know-it-all with questionable morals, who inevitably reveals he actually has a heart. Even though this is a character that everyone knows is well within Downey's wheelhouse, no one can deny that he plays the part well. His sharp verbal sparring is flawless, both inside and out of the courtroom. The only other actor that can hold the audience is Robert Duvall (when he stops mumbling and instead delivers his lines coherently). If only the ambiguous incest subplot (I kid you not) and lackluster romance between Downey and Vera Farmiga ended up on the cutting room floor, then these two wouldn't be at the bottom of this list.

8. Jeffrey Winger (Joel McHale) – Community: Jeff Winger was a successful defense attorney before the state bar found out he faked his bachelor's degree. Despite this setback in his career, Jeff Winger uses his charming personality and wit to manipulate any situation he faces while enrolled at Greendale Community College. He constantly gives his study group rousing speeches, and initially credits his persuasiveness to his ability to do the job without involving his personal feelings. However, the study group slowly tears down Winger's walls, and he

finds that fighting for the people he loves is better than winning just for the sake of winning. Still, his arguments before this self-realization are gold! Take this incredible Winger argument, "I discovered at a very early age that if I talk long enough, I can make anything right or wrong. So either I'm God or truth is relative. In either case, booyah!"

7. Saul Goodman (Bob Odenkirk) – Better Call Saul/Breaking Bad: Better Call Saul follows the story of James McGill before he becomes Breaking Bad's iconic Saul Goodman. Before he was Walter White's attorney, we see Saul struggling to strike a balance between caring for his ill brother and establishing himself as an attorney. From memorable quips to over the top tie patterns, Saul Goodman ranks as one of the most noteworthy TV attorneys. "Don't drink and drive, but if you do call me."

6. Frank Galvin (Paul Newman) – The Verdict: Paul Newman was nominated for the Academy Award for Best Actor for his role as Frank Galvin, an alcoholic ambulance chaser who is handed a medical malpractice case (wouldn't that be nice). Galvin represents a woman left in a vegetative state after she was given an anesthetic that caused her to choke on her own vomit (allegedly). His closing argument, while calling for jury nullification by telling them, "You are the law," is still an incredibly powerful scene that would make anyone want to be a litigator.

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